

Message Text

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ORIGIN IO-14

INFO OCT-01 EUR-25 ISO-00 DLOS-06 L-03 EA-11 ARA-16 SPC-03

INT-08 TRSE-00 DOTE-00 COME-00 CEQ-02 DODE-00 NSF-04

OMB-01 COA-02 AF-10 NEA-10 RSC-01 EB-11 OIC-04

CIAE-00 PM-07 H-03 INR-10 NSAE-00 NSC-10 PA-03 PRS-01

SS-15 USIA-15 ACDA-19 AEC-11 AGR-20 CG-00 FMC-04

JUSE-00 SCI-06 /256 R

DRAFTED BY IO/UNP-TSCULLY:LCW

APPROVED BY IO-MFHERZ

D/LOS-JNMOORE

IO/UNP-LTSTULL

L/OA-BHOXMAN

EA/RA-CACHAPMAN

ARA/LA/PLC(PARA 10)-JMARTIN

S/PC-HCBLANEY(INFO)

INTERIOR-RWRIGHT

TREASURY-JHARTZELL

TRANSPORTATION:PAYOST

COMMERCE:PBERNHARDT

CEQ:DCOOK

DOD:CAPT. BAKER

NSF:NWULF (INFO)

OMB:JFOX (INFO)

S/FW:BBRITTIN

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P R 211651Z SEP 73

FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK PRIORITY

INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L STATE 188196

E.O. 11652: GDS

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TAGS: PBOR, UN, UR

SUBJECT: LOS: CONSIDERATION OF LOS ITEM AT 28TH UNGA

REF: (A) USUN 3252; (B) USUN 3331; (C) USUN 3313

1. WE ENDORSE SEABED COMMITTEE CHAIRMAN AMERASINGHE'S EFFORTS TO OBTAIN INFORMAL CONSENSUS ON ORGANIZATIONAL AND PROCEDURAL ARRANGEMENTS FOR THE LOS CONFERENCE, SOME OF WHICH BEAR UPON TREATMENT OF THE ITEM IN THE UNGA. FOLLOWING ARE DEPARTMENT'S INITIAL VIEWS TO GUIDE YOU IN DISCUSSIONS, AS APPROPRIATE, WITH OTHER DELEGATIONS AND UN SECRETARIAT. THERE WILL BE SEPARATE INSTRUCTIONS FOR LOS CONFERENCE ORGANIZATIONAL SESSION ITSELF.

2. AN IMPORTANT OBJECTIVE FOR UNGA CONSIDERATION OF LOS WILL BE TO ENSURE GENERAL ADHERENCE TO SCHEDULE SET FORTH IN LAST YEAR'S CONFERENCE RESOLUTION (3029A). THIS OBJECTIVE DOES NOT PRECLUDE SCHEDULING OF ADDITIONAL SUBSTANTIVE WORK IN 1974 AND WE ACTIVELY SUPPORT INCREASE IN CURRENT EIGHT-WEEK PROGRAM. STATEMENT BY US REP DURING LAST YEAR'S UNGA THAT WE CONSIDER EIGHT WEEKS IN 1974 INSUFFICIENT REMAINS VALID.

3. THEREFORE, WE ARE PREPARED TO CONSIDER ANY REASONABLE PROPOSALS TO PROVIDE FOR ADDITIONAL CONFERENCE WORK IN 1974, INCLUDING ADDITIONAL SESSION OR EXTENSION OF

SUBSTANTIVE SESSION DESIGNED TO COMPLETE NECESSARY PREPARATIONS. IN EITHER CASE WE FEEL IT ESSENTIAL THAT ADDITIONAL WORK BE CONSIDERED PART OR LENGTHENING OF LOS CONFERENCE, NOT CONTINUATION OR SUBSTITUTE FOR SEABED COMMITTEE SESSION, NOR POSTPONEMENT OF SUBSTANTIVE SESSION. OUR PROBLEM WITH SIMPLE ADDITION OF PREPARATORY SESSION IS THAT IT RUNS RISK OF POSTPONING SUBSTANTIVE SESSION OR OF RAISING DOUBTS ABOUT POSSIBILITY OF OBTAINING POSITIVE RESULTS IN 1974. ANY APPEARANCE, AS WELL AS FACT, OF POSTPONING SUBSTANTIVE WORK WOULD LIKELY HAVE ADVERSE DOMESTIC (CONGRESSIONAL) IMPACT.

4. WE INTERPRET AMBASSADOR CASTANEDA'S PROPOSAL (REF A) IN LIGHT OF ABOVE CONSIDERATIONS AND WOULD HAVE DIFFICULTY ACCEPTING IT AS IS. HOWEVER, IF IT COULD BE REWORKED TO MEAN THAT THERE WOULD BE TWO SUBSTANTIVE SESSIONS IN 1974 (AND IT IS CLOSE TO THIS AT PRESENT), WE WOULD BE PREPARED TO GIVE IT FAVORABLE CONSIDERATION. HOWEVER, WE WOULD WISH TO CONSULT CLOSELY WITH GROUP OF FIVE BEFORE MOVING IN THIS DIRECTION.

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5. FIRST COMMITTEE AGENDA: WE ARE PLEASED WITH AGREE-

MENT THAT SEABEDS ITEM BE TAKEN UP INITIALLY BY FIRST COMMITTEE (REF B).

6. INVITATIONS: REMOVAL OF GERMAN AND KOREAN ISSUES FROM INVITATION QUESTION SHOULD MAKE CONTROVERSY ABOUT INVITATION FORMULA FOR LOS CONFERENCE SOMEWHAT UNREAL. THERE IS NO PRACTICAL DIFFERENCE BETWEEN VIENNA FORMULA AND ALL STATES FORMULA IN TERMS OF WHICH COUNTRIES WOULD BE INVITED TO CONFERENCE, WITH EXCEPTION OF NORTH VIETNAM (DRV); AND WE HAVE NO OBJECTION TO DRV PARTICIPATION. WE ARE RELUCTANT TO DROP STATES MEMBER CONCEPT INHERENT IN VIENNA FORMULA BUT ARE PREPARED TO CONSIDER ALTERNATIVE WHICH DOES NOT HAVE IDEOLOGICAL DRAWBACKS ASSOCIATED WITH THAT TERM. WE BELIEVE THAT IT WOULD BE IN NO ONE'S INTEREST TO SADDLE UNGA WITH RECURRENT RESPONSIBILITY OF DEFINING WHAT CONSTITUTES A STATE AS WOULD BE REQUIRED UNDER SIMPLE ALL STATES FORMULA.

7. THEREFORE, MISSION SHOULD PROPOSE FOLLOWING FORMULA IN DISCUSSING LOS INVITATION ISSUE WITH OTHER DELEGATIONS: "ALL STATES MEMBERS OF THE UN, SPECIALIZED AGENCIES, IAEA AND/OR ICJ AND THE DRV." IN DISCUSSIONS WITH OTHER DELS -- AND SOVIET DEL IS OF PRIME IMPORTANCE-- YOU SHOULD NOTE THAT IT IS TIME TO PUT AN END TO CONTROVERSY OVER LABELS WHEN TWO SIDES NO LONGER HAVE SIGNIFICANT DISAGREEMENT ON SUBSTANCE. FORMULA WE

PROPOSE EMBODIES UNIVERSALITY PRINCIPLE FOR ALL PRACTICAL PURPOSES, IS NON-DISCRIMINATORY AND IS FLEXIBLE ENOUGH TO ALLOW FOR ADDITION OF OTHER STATES IN FUTURE.

8. YOU SHOULD MAKE EVERY EFFORT TO SECURE AGREEMENT ON ABOVE FORMULA. IF UNSUCCESSFUL, HOWEVER, WE ARE PRE-CONFIDENTIAL

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PARED TO CONSIDER POSITION SIMILAR, THOUGH NOT IDENTICAL, TO THAT CONTAINED IN USUN 3313; SPECIFICALLY, ACCEPTANCE OF ALL STATES FORMULA CONDITIONED BY FIRM PRIOR AGREEMENT WITH SOVIETS, SECRETARIAT AND AMONG ALL REGIONAL GROUPS THAT SECRETARIAT WOULD INTERPRET "ALL STATES" TO MEAN STATES MEMBERS OF UN, SPECIALIZED AGENCIES, IAEA AND/OR ICJ AND THE DRV.

9. TIMING OF ORGANIZATIONAL SESSION: WE TEND TO FAVOR SECOND HALF OF NOVEMBER, BASED ON FOLLOWING CONSIDERATIONS:

A. ASSUMPTION THAT APPROXIMATELY TWO WEEKS WILL BE REQUIRED FOR SESSION (AS SET OUT IN RES 3029A);

B. OUR OPPOSITION TO SUGGESTION OF GA PRESIDENT BENITES THAT ORGANIZATIONAL SESSION COULD BE HELD IMMEDIATELY AFTER CONCLUSION OF GA; AND

C. ASSUMPTION THAT UNGA CONFERENCE HALL SPACE WILL BE UNAVAILABLE DURING FINAL WEEKS OF GA SESSION WHEN MOST ITEMS BEING CONSIDERED IN PLENARY. WE WOULD BE PARTICULARLY INTERESTED IN SECRETARIAT VIEWS ON THIS QUESTION.

10. SITE FOR SUBSTANTIVE SESSION: QUESTION OF SANTIAGO SITE FOR SUBSTANTIVE SESSION MAY BECOME SERIOUS ISSUE IN GA CONSIDERATION OF LOS ITEM. MISSION SHOULD NOT RPT NOT EXPRESS VIEWS ON MATTER AT THIS TIME, BUT SHOULD REPORT ANY INDICATION FROM OTHER DELEGATIONS AND SECRETARIAT THAT SANTIAGO BEING RECONSIDERED. RUSH

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